

(1)



A

Brief Collection

Out of the

RECORDS

OF THE

CITY,

Touching

Elections of the **SHERIFFS** of
London and the County of Middlesex.

By Order of the Lord MAYOR and Court of
ALDERMEN.

THE Charters are to the Citizens to choofe their
SHERIFFS; but by Usage and particular By-
Laws those Elections have been restrained to the Liveries.
A And

And so it hath been the Usage from the 21th year of *Edward* the Third, for the Lord Mayor to nominate or choose a Person, either in Common Hall; or if Drank to before, to Present him to the Common Hall; and He there hath always been confirmed and allowed to be one of the Sheriffs, until the year 1641. Except in four or five years between the 21th of *Edward* the Third and 1641. wherein the Sheriffs were on the Day of Election both nominated by the Commonalty, the Persons chosen by the Mayor having before refused the Office, and paid the Forfeiture. And from 1641. during all the time of the Rebellion, and so to the year 1663. the Person nominated by the Lord Mayor was refused to be confirmed by the Common Hall; but hath been confirmed ever since (except in the year 1674.) to the year 1680.

For this Reason (because the Lord Mayor hath Nominated a Person to be one of the Sheriffs) do the Lord Mayor and Aldermen withdraw, leaving the Commons to Confirm him, and Elect the other (as they do likewise upon the Choice of Lord Mayor; because there the Lord Mayor and Aldermen choose him out of the Two presented by the Commons.) But at other Common Halls they do not withdraw, as at the Choice of Members to serve in Parliament, &c.

This Privilege of the Lord Mayor is in the Cities Records, several times said to be according to Ancient Customs, Rules, and Ordinances of the City.

Indeed in an Act of Common Council, made the 4th of *Henry* the Fifth, it is expressed, That the Sheriffs ought to be freely and indifferently chosen by the more sufficient Citizens, summoned to those Elections.

But some other Acts of Common Council make particular mention of, or imply the aforesaid Privilege of the Lord Mayor: As an Act in *Edward* the Third's time, That Citizens absenting themselves on the Day of Election, to avoid the Office of Sheriff, shall forfeit an Hundred Pounds. And the Mayor every year to say in his Conscience, and by his Oath; If he had chosen any other than he hath chosen, if he had been present, and to name the Person. And the Commonalty in the same manner.

An Act made the 7th of *Richard* the Second, That *St. Matthews* Day shall be the Day for Election of a Sheriff. And when the Commons shall have agreed upon a Person, they shall present him to the Mayor and Aldermen.

An Act made the 19th of *Henry* the Eighth, If any Citizen happen to be named and elected, as well by the Mayor (according to his Ancient Prerogative) as by the Commonalty, on the Second of *September*, and take not the Office, he shall forfeit, &c.

An Act made the 30th of *Henry* the Eighth, That the Election of Sheriffs for the Commonalty shall be had and used on the Day of *St. Peter ad Vincula*. Provided that the Mayor shall at any time before *Lammas*, Name and Elect one of the Sheriffs at his Pleasure.

An Act made the 13th of *Queen Elizabeth*, If any Citizen happen to be chosen Sheriff, either by the Mayor, or else by the Commons, at times and place appointed, &c. and appear not to take upon him the Office, he shall forfeit, &c.

An Act, 24th of the same Queen, whereby the First of *August* is appointed the Day for Confirmation, Allowance and Election of the Persons to be named Sheriffs by the Lord Mayor according to Ancient Usage, and for Election of another by the Lord Mayor and Commons. If the Person to be named by the Mayor shall before the First of *August*, refuse to take upon him the Office, or Decease, or that new Nomination shall need to be made, it shall be lawful for the Lord Mayor before the First of *August*, to make new Nomination or Nominations, as hath been accustomed.

An Act 36 of *Eliz.* and the same almost Repeated 7 Car. 1. Differing only in the Penalties, which are made greater by this of 7 Car. 1. This Repeals all former Acts touching Election and Confirmation of Sheriffs (the Penalties in them having been too mild) and Constitutes the Day as well for Confirmation and Allowance of such Persons as shall be Chosen and Elected by the Lord Mayor to be Sheriffs, as for the Choice of such other Persons, as by the Lord Mayor, Aldermen, and Commons shall be Chosen to be Sheriffs, to be the Four and twentieth of *June*. And thereby it is Enacted, That if any Person that shall be so Chosen or Elected, do not before the next Court of Aldermen, enter into Bond to take upon him the Office, he shall Forfeit Four hundred pounds. And that if any Forfeiture shall be made by any Person to be first Chosen or Elected by the Lord Mayor, One hundred pounds of such Forfeitures shall be to him that shall first, in the same Year accept the Office. And if after such Acceptance any

any other Forfeiture shall happen to be made by any Person that shall be Chosen by the Lord Mayor, Aldermen, and Commons, One hundred pounds thereof shall be to him that shall first after accept the Office, being Elected by the Lord Mayor, Aldermen, and Commons. And that no Alderman, by Posteriority of Election, be inferiour to a Commoner, That the Lord Mayor do not Choose any Commoner while there is an Alderman Eligible.

The usual Proclamation that begins the Common Hall on *Midsummer Day*, declares that They are summoned for Confirmation of the Person chosen by the Lord Mayor, and for Election of another, to be Sheriffs for the Year ensuing.

From the beginning of Queen *Elizabeth's* Reign, the Persons Drank to by the Lord Mayor, have frequently before Confirmation by the Common Hall, Sealed Bonds to hold the Office, or paid the Forfeiture upon Refusal to hold, or Swore themselves not of Ability to hold.

By all which it may appear, That what Sir *John Moore*, the present Lord Mayor, hath done in Choosing Mr. *North*, and Presenting him to the Common Hall to be Confirmed, is no Innovation, but is warranted by Usage and Acts of Common Council, notwithstanding the false Insinuations lately set forth in Print to the Contrary.

Moore Mayor.

Jovis xxix^o. Die Junij 1682. Annoque Regni
Regis CAROLI Secundi, Anglⁱ &c. xxxiiij^o.

THIS Court taking Notice of divers Papers that have been lately Printed, touching the Usage in Choosing the Sheriffs of this City, and the County of Middlesex, doth Order that this Collection, which hath been made out of the Cities RECORDS, by Direction of this Court, be forthwith Printed, to give Information to the Citizens of this City touching this Matter.

Wagstaffe.

Printed by S. Roycroft, Printer to this Honourable City. 1682.